

REMARKS

The specification has been objected to and all the claims submitted for examination in this application have been objected to and/or rejected. Applicants have amended their specification and claims and respectfully submit that the amended specification and claims, currently in this application, overcome the rejections and objections of record.

Turning first to the objection to the specification, the specification has been objected to, under 35 U.S.C. §132, as introducing new matter into the application. Specifically, the Official Action avers that new matter was introduced into the application in the previous Amendment in which the specification, at Page 11, line 9 and Page 23, line 3, was amended to define radical X as a component, excluding isocyanate groups, from an isocyanate compound. The outstanding Official Action argues that this language is extremely broad as it allows for X to be anything, including inorganic compounds. The Official Action submits that support for this language is not found in the originally filed disclosure.

The Official Action admits, however, that the specification, at Page 13, first paragraph, lists suitable isocyanate compounds for use in the formation of the urethane acrylate. These compounds are exclusively organic isocyanates. The Official Action thus suggests that the definition of X be amended to define that radical as a residue of an organic isocyanate compound. Such an amendment, the Official Action states, is supported by the examples in the specification and overcomes this objection.

Applicants have amended the aforementioned portion of the specification to meet the requirement imposed in the outstanding Official Action and yet be consistent with the amended language of the claims. That is, the definition of X has been amended to recite that X is a component, excluding isocyanate groups, from an organic isocyanate compound. This

language is synonymous with the language suggested in the Official Action, a residue of an organic isocyanate compound, and yet is identical to the amended language of Claim 1 as discussed below.

Turning to the claim objection of record, Claim 11 stands objected to, under 37 C.F.R. §1.175, as being a substantial duplicate of Claim 10. It is unnecessary to discuss the merits of this ground of rejection insofar as Claim 11 has been cancelled.

All the claims submitted for examination have been rejected on formal and substantive grounds. The formal grounds of rejection are directed to Claims 1, 3-5, 7-9 and 13. These claims stand rejected, under 35 U.S.C. §112, first paragraph, as containing subject matter that is not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors, at the time the application was filed, had possession of the claimed invention.

The formal ground of rejection is substantially the same as the objection to the specification. That is, the definition of radical X in Claims 1 and 13 is identical to the definition of X that was the subject of the objection to the specification. The Official Action reiterates that the definition of X in Claims 1 and 13, as being a component, excluding isocyanate groups, from an isocyanate compound, is extremely broad and allows X to be anything including inorganic compounds. The Official Action indicates that the original disclosure provides support for X being a residue of an organic isocyanate compound but does not provide support for compounds that are not organic.

Applicants have amended Claim 1 to redefine X as a component, excluding isocyanate groups, from an organic isocyanate compound. As stated in the remarks overcoming the

objection to the specification, this definition is fully supported by the originally filed application.

Indeed, applicant's attorney, M. Bressler, acknowledges the cordially extended telephone interview, initiated by and conducted with Examiner Uhlir on May 6, 2003, wherein Mr. Uhlir indicated that Claims 1 and 3 to 5 would be in condition for allowance, pending conformation by Mr. Uhlir's superior, if the definition of X, in Claim 1, were limited to a component, excluding isocyanate groups, from an organic isocyanate compound. The amendment to Claim 1 introduces this limitation and thus overcomes the rejection of Claims 1 and Claims 3-5, which each depend from Claim 1, imposed under 35 U.S.C. §112, first paragraph.


It is noted in passing that Claim 1 has been further amended to better grammatically express the hard coat layer as a copolymer. This amendment obviously adds no new matter to the application.

The substantive grounds of rejection are directed to Claims 7 to 13. The two substantive grounds of rejection of these claims, as being unpatentable under 35 U.S.C. §103(a), need not be considered insofar as Claims 7 to 13 have been cancelled.

The above amendment and remarks establish the patentable nature of all the claims currently in this application. Notice of Allowance and passage to issue of these claims,

Claims 1 and 3-5, is therefore respectfully solicited.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Marvin Bressler", with a long horizontal flourish extending to the right.

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